

ACCOUNTING FOR AND MANAGING CONTRACTORS IN CONTINGENCY OPERATIONS

BY

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OPERATIONS**

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ABSTRACT

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This paper attempts to address the key elements associated with the vast topic of contractors on the battlefield from the 20,000 foot level of understanding. Any research or logic shortcomings that led to errors or the exclusion of pertinent materials are my fault. If any questions arise regarding the paper or my thought process in determining the findings please contact me at robert.w.schumitz@us.army.mil.

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ABBREVIATIONS AND ACRONYMS

AFSB	Army Field Support Brigade
ALARACT	All Army Activities
AMC	Army Materiel Command
AO	Area of Operations
AOR	Area of Responsibility
APOD	Aerial Port of Debarkation
AR	Army Regulation
ASC	Army Sustainment Command
ATM	Automatic Teller Machine
CAC	Common Access Card
CCC	Contractor Coordination Cell
CDF	Contractors Deploying with the Force
CENTCOM	US Central Command
CFLCC	Combined Forces land Component Command
CGSC	Command and General Staff College
CONUS	Continental US
DA PAM	Department of the Army Pamphlet
DCS R&S	Deputy Chief of Staff, Resources and Sustainment
DFAR/S	Defense Federal Acquisition Regulation / Supplement
DoD	Department of Defense
DoDD	Department of Defense Directive
DoDI	Department of Defense Instruction
EXPAT	Ex-patriot
FAR	Federal Acquisition Regulation
FIXS	Federation for Identity and Cross Credentialing Systems

FM	Field Manual
FRAGO	Fragmentary Order
GAO	US General Accounting Office
GWOT	Global War on Terrorism
HSPD	Homeland Security Presidential Directive
ILE	Intermediate Level of education
JCC–I/A	Joint Contracting Command–Iraq/Afghanistan
JCCM	Joint Contingency and Contractor Management
JP	Joint Publication
KBR	Kellogg, Brown and Root
LOA	Letter of Authorization
LOGCAP	Logistics Civil Augmentation Program
MNF-I	Multi National Forces–Iraq
NDAA	National Defense Authorization Act
NGO	Non-governmental Organization
OEF	Operation Enduring Freedom
OGA	Other Governmental Agencies
OIF	Operation Iraqi Freedom
OPLAN	Operations Plan
OPORD	Operations Order
OSD (AT&L)	Office of the Secretary of Defense (Acquisition, Logistics, and Technology)
PRR	Personnel, Rescue, and Recovery
SKU	Stock Keeping Unit
SPOT	Synchronized Predeployment and Operational Tracker
SSTR	Stability, Security, Transition, and Reconstruction
UCMJ	Uniform Code of Military Justice

USG

US Government

ACCOUNTING FOR AND MANAGING CONTRACTORS IN CONTINGENCY OPERATIONS

Introduction and Problem Statement

Introduction

SEC. 1205. Guidance on Contractors Supporting Deployed Forces in Iraq.
Guidance—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance on how the Department of Defense shall manage contractor personnel who support deployed forces and shall direct the Secretaries of the military departments to develop procedures to ensure implementation of that guidance [1].

SEC. 1206. Report on Contractors Supporting Deployed Forces and Reconstruction Efforts in Iraq

Report Required—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on contractors supporting deployed forces and reconstruction efforts in Iraq [2].

—118 STAT. 2084 Public Law 108-375, 28 OCT 2004

Since the draw down of the size of military forces, particularly the Army from 780,000 to 480,000 [3], in the late 1980s through the 1990s contractors have increasingly filled voids for the Department of Defense (DoD). The DoD, as noted by the US General Accounting Office (GAO), uses contractors where force numbers are limited or capped, where the military lacks personnel with the technical skills required, or to conserve scarce skill sets to ensure they are available for future deployments [4]. Now unit operational tempo, or deployed time, management is an additional critical factor that also serves to increase the use of contractors to supplement forces. Figure 1 provides a sample of the types of services contractors provided by deployed locations.

Table 1: Selected Services Provided by Contractors in Deployed Locations

Service	Balkans	Southwest Asia	Central Asia
Weapons systems support	X	X	X
Intelligence analysis	X	X	X
Linguists	X	X	X
Base operations support	X	X	X
Logistics support	X	X	
Prepositioned equipment maintenance		X	
Non-tactical communications	X	X	
Generator maintenance	X	X	X
Biological/chemical detection systems		X	X
Management and control of government property	X	X	X
Command, control, communications, computers, and intelligence	X	X	X
Continuing education	X		
Fuel and material transport	X	X	X
Security guards	X	X	
Tactical and non-tactical vehicle maintenance	X	X	
Medical service		X	
Mail service	X		

Source: GAO.

Figure 1: Selected services provided by contractors in deployed locations [5].

The growth of the use of contractors in support of deployed forces did not go unnoticed, but remained a simmering issue for years while other priority events and issues were addressed by the individual armed services and the DoD. With the exception of some key Army doctrine and policy efforts, the subject of how to deal with contractors accompanying the force received very little attention as a critical topic needing to be addressed both in policy and doctrine until the combat actions the US government (USG) engaged in following the terrorist attacks on the World Trade Center on 11 September 2001. The subsequent engagement of forces in the Global War on Terrorism (GWOT), operations in Afghanistan as part of Operation Enduring Freedom (OEF), and more importantly, operations in Iraq as part of Operation Iraqi Freedom (OIF), truly highlighted the DoD's and USG's reliance on contractors and their missions in supporting the USG's global operations.

The historical quantities of contractors used to support engaged military is highlighted in Figure 2, as is the ratio of contractors to the forces. The ratios in the figure represent a snap shot in time, not necessarily the high or low point of accounted for contractors during those contingency operations.

WAR/CONFLICT	CIVILIANS	MILITARY	RATIO
Revolution	1,500 (est)	9,000 (est)	1:6 (est)
Mexican/American	6,000 (est)	33,000	1:6 (est)
Civil War	200,000	1 Million	1:5 (est)
World War I	85,000	2 Million	1:20
World War II	734,000	4.5 Million	1:7
Korea	156,000	393,000	1:2.5
Viet Nam	70,000	359,000	1:6
Desert Storm	9,000	400,000	1:50
Bosnia	300	3,000	1:10

Figure 2: Contractor to military ratios by conflict [6].

Today, the interest in contractors on the battlefield regarding their missions, protection, quantities, and an operational commander's control of them, is wide ranging. The impact of contractors accompanying the force has attention at all levels of the USG. Public Law and Executive Directive provide direction to account for contractors on the battlefield. In 2005, the DoD issued a policy directive regarding the accountability of contractors. Coupled with the above, the Joint Chiefs of Staff are working on a joint doctrinal publication that will specifically address issues surrounding contractors on the battlefield definitions, principles, and challenges. As previously stated, the Army has been leading the DoD effort, closely linked to its sister services, as it tries to develop a comprehensive set of solutions regarding how to deal with the components' reliance on contractors supporting the missions of deployed forces. The efforts to date range from

policy letters to doctrine revisions to technology-based tracking and accountability solutions. However, regardless of all of the attention that is now being paid to the issue of contractors accompanying the force, it must be recognized that this is not only a DoD issue. The USG's efforts on the ground in support of the GWOT, OEF and OIF represent an inter-departmental and inter-agency cooperative effort toward achieving a desired end-state. This inter-department and inter-agency manner of execution is likely to extend long into the future where no entity can go it alone and must expect and count on the services and support of other departments and agencies.

An understanding of this inter-department and inter-agency relationship is crucial in addressing the issues of contractors accompanying the force, because many agencies and departments of the USG are providing contract support and contractors via their contracting efforts to the deployed operational locations. Therefore, a ground commander must deal not only with the contractors performing support missions for the deployed joint services, but also with those contractors supporting USG departments and agencies. The current inter-departmental and inter-agency method of operation is likely to be the standard for years to come as the US continues to pursue the GWOT.

Problem Statement

Due to the vast use of contractors to support deployed operational missions, it is imperative that the DoD and other USG departments and agencies understand the scope of the issue, use common definitions, and have a common end-state regarding the disciplined use of contractors to support continuing operational efforts. While the vast majority of the effort and responsibility should rightly fall on the DoD, given the density of contractors it employs in support of deployed forces, other USG departments and agencies must be involved in the development of common contractors on the battlefield solutions.

Contractors on Today's Battlefield

Today, contractors supporting operations in OIF and OEF not only support operational forces on the ground, they also support the Department of State, Department of Justice, and many other federal agencies aligned with the missions in Iraq and Afghanistan. An estimate of the number of contractors directly supporting USG actions in Iraq as of 5 December 2006 was 100,000 [7]. The article's author references that the number of contractors was derived as the result of the first census survey conducted in the country specifically focused on contractors supporting deployed forces. One hundred thousand contractors represent a ratio of approximately 0.7 to 1, contractors to forces and highlight the increased use of contractor support illustrated in Figure 2. Roughly 44,000 of the contractors accounted for in the census are providing life support services to deployed forces under the Logistics Civil Augmentation Program (LOGCAP) contract for which the prime contractor is Kellogg, Brown and Root (KBR), a subsidiary of the Halliburton Corporation [8].

The article goes on to suggest that the number of 100,000 does not include sub-contractors. The contractors referenced are supporting the combat efforts through mission support to the military forces, as well as the stability, security, transition, and reconstruction efforts of Iraq. However, the estimated number does not include any entrepreneurial contractors who are in the operational environment attempting to conduct business with the host nation on their own initiative, nor does it necessarily include contractors who are in the country supporting other USG departments and agencies. The former were not counted because they are not officially supporting USG efforts, the latter were not counted because the directive issued to conduct the census specifically targeted DoD contractors and excluded contractors associated with other governmental agencies (OGAs) [9].

Additionally, the number referenced above is not an exact figure and does not pinpoint the exact location and purpose of each of these contractors, nor the type of contractor they are. (Contractor types and definitions will be discussed in a following section.) This is a recurring problem that was identified in the June 2003 GAO Report,

GAO-03-695 [10], which found that the USG, particularly the DoD, has limited visibility over both contractors and the contractors' activity. The GAO report highlights the frustrations of many operational commanders regarding contractors whose area of performance is inside the commanders' operational area of responsibility.

Listed below are five key points that a former Deputy Chief of Staff for Resources and Sustainment (DCS R&S) for the Multi-National Force-Iraq (MNF-I), articulated in a note to her counter part at the US Central Command (CENTCOM).

1. The lack of uniform and comprehensive processes mandating the responsibilities for recurring reporting of contractors to the required detail (US, Third Country National (by country) and local National). There is an inherent expectation to provide a report accounting for contractors. However, no standard system exists to accomplish the accounting.
2. There is a lack of a standard system to capture by-name personnel related information on contractors. Our analysis has found numerous systems that assert the ability to provide this capability. However, each system has shortfalls and none are institutionalized. The lack of a universal system impairs the ability to meet the requirements of the 0001 (item 1) and compounds force protection risks.
3. MNF-I does not have direct control and oversight of a large number of contracts let by agencies outside the theater. In May we conducted a manual census of contractors in MNF-I. The results indicated that MNF-I has direct oversight of roughly 10% of the total contracts and 13% of the contractors in Iraq (12K of 91K). The majority of the contracts are let by CONUS (Continental US) activities.
4. The lack of measures the (sic) require contractors to inform the supported commander (MNF-I) of contractors entering the theater prior to arrival. These measures would enable the command to prepare for and proactively capture the required data.

5. The lack of instructions in governing DFARS (Defense Federal Acquisition Regulation Supplement) to require the reporting of contractors [11].

This all leads to the question—who is contracting for all of the contractors accounted for in the census and those not accounted for in the census but that are located in Iraq? The Washington Post article references additional information gathered through another information query, conducted by the USG, which highlights “more than a dozen entities within the Pentagon and a dozen outside agencies, including the departments of State and Interior,” have contractors working for them in Iraq [12]. While deployed in Iraq, the author of this paper knew of at least sixteen organizations and commands providing contract support to efforts in country. This serves as an anecdotal level of confirmation of the validity of the information contained in the Washington Post article. This paper does not criticize the mission support contracting efforts of any of these organizations. However, one must ask how well the various efforts were coordinated with one another or CENTCOM, in order to preclude redundancy or conflicting efforts. Additionally, were all of the efforts synchronized to the MNF-I commander’s campaign plan and its plan for economic effects and reconstruction?

Operational commanders want to understand contractor support as a tool and as a management challenge that they must contend with while they both plan future operations and execute their current missions. Their current fight concerns and informational requirements regarding contractors are:

- Who is authorized to be there?
- What basic rights and privileges do they have while in the operational area?
- What USG furnished support is required?
- Who contracted for them and who do they report to?
- What job are they there to perform and what is the deliverable?
- What is the end state of their actions?
- How are they tracked—arrival, movement, area densities?

- How does the commander plan for the care and support of them?
- How to expel them for derogatory actions? How to ensure they don't return?
- How do I, as commander, ensure the backgrounds and histories of the individual contractors do not represent a security risk to soldiers and mission?
- What is my authority or authorization as a commander to direct contractor work efforts?
- Who do I turn to if I have problems with contractors in my area?

In regard to planning for future operations, outside of current engagements, a commander and his staff need to know:

- What are contractors required to provide that organic forces can not provide internally?
- Are contractors accounted for in OPLANs as critical elements that must be deployed to the fight for certain services/capabilities that can not be provided for organically?
- Does the plan ensure support will be available when required and are there alternative courses of action that can be leveraged?
- How is the readiness impact of contracted support accounted for [13].

These planning factors are also highlighted in current Army regulations and doctrine. However, GAO highlighted in its GAO-03-695 report, that addressed contractors providing support to deployed forces, that the "DoD has not fully included contractor support in its operational and strategic plans" [14].

In the conduct of today's operations, the DoD and other elements of the USG are largely dependent on contractors to support their operations. Contractors provide a breadth of services to deployed forces, many of which current forces could not perform organically either because of a lack of specific capabilities or insufficient combat service support structure exists to maintain the current operational tempo. However, despite reliance on contractors, there is limited visibility on the number of contractors supporting the operations, who contracted for their efforts, and how their efforts are managed.

Defining Contractors

The term *contractor* is all encompassing and does not reflect the complexity of or the required differentiation necessary for a contingency environment. It can reference both a company and a company's employee. Contractor companies are distinguished as prime contractors or sub-contractors when addressing contractual relationships with the government or one another. Contractors and their employees are further distinguished by what they provide to the USG among categories such as supplies and services. Contractor employees are further distinguished by their country of origin. The DoD through various publications, attempts to define the term contractor and all of the varying tasks, origins, sources, and relationships that apply to the term as outlined in the balance of this section.

Published Definitions

DoD Instruction (DoDI) 3020.41

The DoDI establishes the most robust set of definitions of all guiding doctrine and policies researched for this paper. In Enclosure 2 of the DoDI, contractor terms are defined at the top level of the many tiers of definitions regarding contractors. The document defines *contingency contract personnel*, *contractors deploying with the force*; *system support contractors*; and *theater support contractors*. (The previous terms and definitions, as well as other terms, are asterisked (*) to identify that they are being submitted for inclusion in the next version of Joint Publication 1-02 [15].) This publication and the definitions of contractors and contractor categories are in revision.

Joint Publications (JPs) 1-02, 4-0, and 4-07

These JPs cover a variety of contractor and contractor-personnel-related definitions. The latest rendition of JP 1-02, the DoD Dictionary of Military Associated Terms (amended as of 5 January 07), is an all encompassing document that captures the definitions included in both JP 4-0 Doctrine for Logistics Support of Joint Operations and JP 4-07 Joint Tactics Techniques and Procedures for Common User Logistics During Joint Operations. The JP 1-02 document captures the definitions referenced in the DoDI 3020.41.

Army Field Manual (FM) 3-100.21

This manual breaks contractors down into the same three broad categories that JP 4-0 does. Per both manuals, the three major categories of contractors are *theater support contractors*, *external support contractors*, and *system contractors* [16].

MNF-I Fragmentary Order (FRAGO)

In the MNF-I FRAGO there are several contractor terms defined. The terms include *defense contractor*, which is common with DoDI 3020.41; *foreign contractor*, *coalition country contractor*, *US contractors*, *coalition contractors*, *third country nationals*, and *local nationals*.

Even KBR, which provides, as previously noted, 44,000 contractors in support of today's deployed forces in Iraq has its own set of definitions for contractors.

Defining Contractors		
Example definitions provided by KBR:		
1	EXPAT	— Direct Hire US National
2	Foreign National	— Direct Hire Non-US National
3	Strategic Subcontractor	— Stateside Subcontractor (Executed out of Arlington)
4	Local National	— Direct Hire Host Country National (also Host Country National)
5	Subcontractor Personnel	— Personnel hired to work in KBR's non-US subcontracts, regardless of nationality.
6	Labor Broker	— An agency that provides KBR day-labor workers. Usually, but not always, nationals of the host country

Figure 3: Defining contractors—example definitions provided by KBR [17].

The country of origin of an individual contractor becomes particularly important to a commander in an environment where security is of paramount importance. Contractors can generally be distinguished into four general origin categories. Those categories are *ex-patriot*, *third country national* or *foreign national*, and *local national*. Further clarity of certain subsets of contractors is provided below. These definitions compliment, or add clarity to, those that can be found in the references or the figure listed.

Clarifying Definitions

Ex-patriot (EXPAT)

An EXPAT is a US citizen by another term. These individuals are generally the core staff of service contract providers and the individuals who provide support to systems that require technical logistics or maintenance skill sets not readily available in the force. In many cases, these contractors deploy with a unit from home station and have both a habitual relationship with their company and the USG. In many cases they have existing security clearances. EXPATs generally fill positions that are considered mission essential.

Foreign National or Third Country National

This individual is not a US citizen and is not a citizen of the country in which operations are being conducted. In many cases, foreign nationals serve as the core of a large service contractor's labor force. For example, there are a large number of Philippine nationals who work for a sub-contractor to KBR as it executes its LOGCAP contract responsibilities and requirements. Western European nationals also fall into the foreign national category.

Local National

A local national is a resident/citizen of the country in which operations are being conducted. These individuals perform a wide range of contractual efforts for USG agencies and deployed forces. In many cases, they are used to perform as many contractual tasks as possible ranging from the provision of office supplies to the

execution of construction projects. Contracting with local national businesses and institutions serves to provide economic stimulation to the host nation's local and national economies.

Prime Contractor

A prime contractor is the company or individual with which the USG has directly entered into a binding contractual agreement.

Sub-contractor

A sub-contractor does not have a direct contractual obligation to or relationship with the USG. A sub-contractor's legal and binding business relationship is with another contractor. They can be a sub-contractor to a prime contractor or a sub-contractor to another sub-contractor. This category becomes challenging when attempting to ensure proper accountability of contractor employees and who exactly is authorized to be at a given location. A sub-contractor is responsible for following all USG/military rules and regulations that the prime contractor is obligated to follow.

Service Contractor

A service contractor is a contractor who is providing a service to the force. Many of these services require routine interface with the customer and, therefore, is an on-site presence. The service activity can range from the maintenance and operation of a dining facility to the maintenance and sustainment support of a newly fielded combat system.

Construction Contractor

The term is self explanatory and for all intents is a service contractor of a different type. The key to distinguishing a construction contractor is the type of contract that they are awarded and the contractor's scope of responsibilities as specified in the statement of work.

Supply Contractor

A supply contractor provides an item or items to the requiring activity. Generally, a supply contractor's area of performance is away from the vicinity of US forces. These contractors, in most cases, simply deliver a product and leave. There is not a service

element requiring a contractor to be regularly present or engaging with the ordering customer.

Given the volume of contractors on today's battlefield operating in support of not only deployed forces but also other USG agencies and departments, it is important that precision is applied when discussing contractors and contractual requirements. As outlined in this section, there are several sources for definitions relating to contractors, their origin, their purpose, and their contractual relationships. The clarity of definitions is particularly important to establishing a common understanding when attempting to account for and manage contractors.

Law, Current Policy, and Doctrine

This section provides a brief overview of some of the current federal laws, executive directives, and letters, as well as similar documents to include policies, regulations, and doctrine generated by both the DoD and the Army that have pertinence to or specifically address the accountability and management of contractors on the battlefield/accompanying the force. The fact that such guidance, policies and doctrines exist, and that more guidance is routinely emerging, is a clear indication that the challenges facing the USG in the area of contractor support are recognized.

Federal Law

Particular sections of federal law are pertinent to contractors on the battlefield. The first two, Sections 1205 and 1206 of Statute 2084 in Public Law 108-375, highlight the interest of Congress in the use, governing policies and accountability procedures applicable to contractors specifically supporting DoD forces engaged in efforts in Iraq [18]. The next most important section of law comes from the 2007 National Defense Authorization Act (NDAA). Section 552 of the NDAA serves to clarify the application of the Uniform Code of Military Justice (UCMJ) as it relates to civilians serving with or accompanying deployed armed forces. The NDAA extended the coverage of the term *declared war*, which was the only time civilians accompanying the force were eligible to be judged by the UCMJ. The term *war*, per the NDAA, was extended to "in time of

declared war or a contingency operation” [19]. The new language still lacks any DoD implementation guidance directing how it should be applied by its commanders.

Executive Directive and Letters

Homeland Security Presidential Directive 12 (HSPD-12), dated 27 August 2004

This directive was issued to establish common identification standards for federal employees and contractors. While the core of the directive is focused on eliminating the potential for terrorist attacks at federal and other facilities, it has pertinence to the current issue of managing and accounting for contractors supporting the USG, both the DoD and other agencies/departments, in deployed environments as well. The Directive requires that the standard for developing and providing secure and reliable forms of identifications is issued based on sound verification of an individual’s identity; resistant to fraud, exploitation and counterfeiting; can be rapidly authenticated; and issued by only accredited providers. It goes on to state that executive departments and agencies shall establish programs that meet the required standards. In addition, they are to ensure any government employee or contractor who has access to federal facilities or information systems is issued the appropriate identification [20].

Memorandum from the Executive Office of the President (Office of Management and Budget), dated 16 May 2006

This letter requests that all federal agencies and military services assist the CENTCOM and MNF-I in identifying contracting information and contractors operating in Iraq [21].

DoD Letters, Regulations, Directives, Instructions and Doctrine

Deputy Secretary of Defense Memorandum

A memorandum signed by Deputy Secretary of Defense Gordon R. England on 31 October 2006 states that in support of the overall war effort, contracting resources and efforts need to be synchronized within the CENTCOM Area of Responsibility (AOR). It specifically states stating that the commander of CENTCOM, “has coordinating authority over all supporting DoD contracting organizations; including those that are not assigned

or attached to the command, but provide support to the command through external support contracts” [22] .

Deputy Under Secretary of Defense Memorandum

A memorandum concerning the accountability and management of information regarding contractors on the battlefield was issued on 25 January 2007 by the Deputy Under-secretaries of Defense for Logistics and Materiel Readiness and Program Integration. The subject of the memorandum is the designation of the Synchronized Predeployment and Operational Tracker (SPOT) as the central repository for information on contractors deploying with the force (CDF).” This memorandum references the decision by the Defense Business Systems Management Committee to designate SPOT as the DoD’s management tool to gain better visibility and accountability in theater. Additionally, it was designated as the central repository for all information regarding CDF [23].

The Defense Federal Acquisition Regulation Supplement (DFARS) part 252.225-7040

This clause of the DFARS specifically addresses contractor personnel supporting a force deployed outside the United States. The clause is to be inserted into any contract in which the prime contractor may have employees deploying in support of US military forces outside of the US during the conduct of contingency operations, humanitarian operations, peace keeping operations or any other type of military operation or exercise [24]. This contractual clause is required to be placed into sub-contractor contracts by the prime contractor in the event the sub-contractor is expected to deploy outside of the US in support of military forces and operations as addressed above. The substance of the clause defines the minimum support a contractor can expect from the USG, as well as, the expectations and requirements of contractors by the government in the event they deploy.

Department of Defense Directive (DoDD) 3000.05

The subject of this DoDD is military support for stability, security, transition, and reconstruction (SSTR) operations and was issued 28 November 2005. The DoDD states

that SSTR operations “are a core US military mission,” [25] and that the forces of the US “shall be prepared to perform all tasks necessary to maintain order when civilians cannot do so” [26]. Those tasks can include the rebuilding of indigenous institutions, the revival or rebuilding of the private sector, or developing representative governmental institutions [27]. The DoDD states that the DoD “shall be prepared to work closely with relevant US departments and agencies” [28] as well as other governmental, US or other, and non-governmental organizations. In coincidence with the close working relationship with other activities, the DoD will continue to lead and support the development of military–civilian teams. A final key element of the DoDD, as it relates to the subject of this paper, is the requirement to “Ensure oversight of contracts in stability operations and ensure US commanders deployed in foreign countries are able to secure contract support rapidly” [29]. While the bulk of the DoDD is mission focused, it provides key insights into the expected elements of future operations. They will be conducted by all agencies and departments of the USG. The DoD will play a leading role in inter-agency missions, and all areas of establishing stability in a given country are potentially within the scope of the military. Finally, the DoD must be prepared to provide proactive contract support, likely service contracts, to support commanders conducting stability operations.

Department of Defense Instruction (DoDI) 3020.41

The subject of this DoDI is contractor personnel authorized to accompany the US Armed Forces. It was issued 3 October 2005 and is meant to serve as the over arching source of DoD policy and procedures regarding all contractors accompanying the force [30]. The key elements from which all of the details of the instruction flow are to “implement appropriate contract planning, visibility, deployment, redeployment requirements” [31] and “coordinate any proposed logistic support arrangements that may affect the OPLAN/OPORD with the affected geographic Combatant Commands” [32]. From these two elements, all of the other details of the policy can be drawn. Examples include the requirement to “develop a security plan for protection of contingency contractor personnel in locations where there is not sufficient or legitimate civil authority” [33]; “maintain by-name accountability of all CDF (contractors deploying with

the force) personnel and contract capability in a joint database” [34]; and “designate the requirement for all CDF to process through the joint reception center” [35].

This is the DoD’s most detailed instruction to its subordinate agencies and departments on how to deal with contractors and what is to be required of contractors by DoD activities before, during, and after deployment in support of the DoD or the military services. Finally, it directs the military departments and DoD agencies to incorporate the stated direction of this instruction into their own “policies, doctrine, programming, training, and contracts” [36]. This document is currently in revision.

Joint Publication (JP) Doctrine for Logistics Support of Joint Operations 4-0

This JP discusses contracting and contractor management operations at the joint level. Chapter V is dedicated to contractors in the theater and describes the necessity for and force multiplying effects of, contractors. The JP distinguishes, at the top level, the types of contractor support provided to a deployed commander and his or her responsibilities to the contractors, as well as, contractor planning, visibility and deployment requirements.

Given the current attention that contractors accompanying the force are receiving and the necessity for more comprehensive doctrinal guidance, the Joint Staff and military service representatives are currently working on a new manual that will be JP 4-10 Contracting and Contractor Management in Joint Operations. The new doctrine is currently scheduled for staffing in March 2007, although it may be delayed in order to synchronize it with the revisions to DoDI 3020.41.

Army Service, Regulations, Directives, Instructions and Doctrine

Of all the armed services, the Army defined and continues to define and publish procedure, policy and doctrine dealing with the subject of contractors on the battlefield, as well as their management and accountability. This fact is recognized on the GAO-03-695 report where it states “Only the Army has developed substantial guidance and policies to deal with contractor support to deployed forces” [37]. All other services, particularly the Air Force, are intimately involved in the process internally and cooperatively at the Joint Service level [38].

However, for the following reasons this section of the paper will focus solely on Army documents. The Army is the lead service responsible for common user logistics in OEF and OIF. The LOGCAP contract, an Army contract, is responsible for a variety of contracted services for the forces and approximately 44,000 contractors in Iraq alone. Coupled with the previous two reasons is the fact that the Army was designated by the Deputy Secretary of Defense as the Executive Agent for contracting for OIF and OEF [39].

All Army Activities (ALARACT) Message 014/2007, released 29 January 2007

This message defines that the Army's contractor accountability system for deployed environments is now SPOT. The message recommends to all contracting officers, with contracts that require contractor mission support to deployed forces, that they ensure DFARS Clause 252.225.7040 is included in their contract. The ALARACT continues by suggesting that in paragraph (G) (1) of the clause, the contracting officer specifically states that SPOT is the accountability tool. Additionally, the ALARACT states that all Army agencies whose mission includes supplying contractors to a deployed environment will use SPOT as their tool to manage contractors. Finally, the message provides basic data field requirements that must be fulfilled and how contracting officers and agencies can register for SPOT [40].

Department of the Army Regulations (ARs)

AR 715-9 Army Contractors Accompanying the Force, October 1999

This AR, in its present form, provides guidance and procedures for the application of contracted support and contractors to support deployed forces. It addresses the planning factors, both operational and administrative, required for the use of contractors in support of the force from the establishment of the requirement, through the deployment, and on through the redeployment of the contracted work force. Additionally, this AR addresses the need to plan for the continuation of essential services in a crisis (or combat) environment via the secured use of contractors or other resources. This regulation is in the process of revision. A new version of this AR was in the staff coordination process in late November 2006. The new edition of the document, when

published, will include AR 700-137 (below) and Department of the Army Pamphlet (DA PAM) 715-16 Contractor Deployment Guide and will serve as the all encompassing regulation regarding contractors deployed in support of operational forces [41].

AR 700-137 Logistics Civil Augmentation Program (LOGCAP), December 1985

This AR defines the policies and procedures to be used for the planning and use of a LOGCAP contractual vehicle by the Army. It defines the intended uses of a LOGCAP contract as being capable of fulfilling logistical unit shortfalls; facilitating the conservation of existing forces; and rapidly providing contracted services capabilities in support of contingency operations. The AR asserts that LOGCAP is designed for use in deployed environments where multilateral or bilateral support agreements between nations do not exist. However, it can be used in coincidence with established Host Nation Support Agreements. The AR places the responsibility on major commands of the Army to incorporate LOGCAP into its operational plans (OPLANs) and to define and scope the services that will be required to support the OPLANs in advance. Despite the age of this AR, it is exceptionally pertinent given that the LOGCAP contract in use to support of OIF generates approximately 44,000 of the current contractors on the battlefield supporting US forces. This AR is intended to be incorporated into the next addition of AR 715-9.

Army Field Manuals (FMs)

FM 3-100.21 Contractors on the Battlefield, January 2003

This FM is intended to be used by operational and operational support commanders and their staffs to understand the planning factors for the use of, and the roles and responsibilities of contractors supporting forces in a deployed environment. The manual provides the planning considerations for the commander and staff to apply when weighing the use of contractor augmentation or continuing the use of contractors. This is coupled with articulating the commander's/USG's responsibilities in the deployment, redeployment, management, accountability and visibility processes of contractors. The FM also defines the parameters for the use of contractors and the full spectrum of

missions that they are used to augment, in the combat support and combat service support functions [42].

FM 100-10-2 Contracting Support on the Battlefield, August 1999

This FM addresses the application of contracting efforts in support of operations from the Army Service Component Commander level down through all tiers of command. It highlights the critical nature of the Army's limited contracting forces, their missions on the battlefield at the operational and tactical levels, and their ties into the logistics support structure. This manual further defines the planning required by operational forces to properly enable the procurement process. It highlights the purpose of the procurement process as a means to obtain goods and services unsupported by the supply system or available operational assets; thus, ultimately fulfilling the operation need of the commander. This manual is written to increase the understanding of non-contracting commanders and staff as to the value and complexities of the procurement process [43]. This FM does not cover the new Army modular structure and is in the revision process. It is tentatively scheduled to be published as FM 4-100.2 during calendar year 2008.

It is evident that there is an abundance of existing published guidance covering the issues associated with the accountability and management of contractors on the battlefield and related topics. The DoD and its subordinate elements are actively updating guidance to ensure it not only complies with law, but also represents the realities derived from lessons learned during current contingency operations. Finally, the varying echelons of government that are publishing guidance on the subject of deployed contractors highlight the interest in the topic at all leadership levels.

Current Authorizations, Accountability, and Tracking Efforts

Today, for operations in Iraq there are only two principal and truly recognized processes to account for contractors that deployed with units and contractors who are currently contracted to support the force and USG—the census process that was instituted by MNF-I in a FRAGO on 1 November 2006, and the accountability derived from the efforts of the Contractor Coordination Cell (CCC). The CCC is a contracted effort

awarded by the Army Sustainment Command (ASC), a subordinate command of the Army Materiel Command (AMC). In addition to the two current systems, a new system is fairly mature in its development and will be the accountability tool used in a pending test case to be conducted in the Iraq area of operations. This system is the Synchronized Predeployment and Operational Tracker or SPOT. In coincidence with these systems is an effort to enable the Joint Contracting Command-Iraq/Afghanistan (JCC-I/A) to exercise more oversight into the total contracting process in support of the MNF-I commander and to mitigate his current frustrations as stated in the DCS R&S's five points presented earlier.

A final and key piece of the actual process of contractor management and accountability is the identification of the particular support or authorizations a contractor is entitled to draw upon from the USG in a deployed environment. These authorizations are called out in a contractor letter of authorization (LOA). LOAs, and the previously mentioned accountability systems and processes, will be discussed in this section.

Contractor Letters of Authorization

Contractor LOAs are issued to individual contractors by a warranted USG contracting officer. This is a standard contracting officer practice used to cover contractors deployed in support of DoD operations. An LOA, such as the one referenced in Figure 4 below, highlights the pertinent facts about the individual contractor to include identification and security information; the purpose of his/her employment; the duration of the contract; and the privileges (or authorizations) the contractor is entitled to receive from the USG. Those privileges may include medical treatment, billeting, use of dining facilities, use of government transportation and others.


 <p>DEPARTMENT OF THE ARMY HEADQUARTERS, U.S. ARMY SUBSISTENCE COMMAND 1 ROCK ISLAND ARSENAL ROCK ISLAND, IL 61790-0001</p> <p>REF ID: A707560</p>	<p>ARJAS-ACF-A</p> <p>02 Oct 2005</p> <p>MEMORANDUM FOR MR. ARTHUR FANTER, IN HIS CAPACITY OF PROVIDING SUPPORT TO THE U.S. ARMY UNDER CONTRACT NUMBER W52PJ3-05-F-0001</p> <p>SUBJECT: Contractor Letter of Authorization (LOA) For Mr. _____</p> <p>1. The PCO, Mr. Arthur Pantar, in his capacity of providing support to the U.S. Army under Contract Number W52PJ3-05-F-0001 authorizes the following company Beta Analytics, International (hereinafter referred to as "Beta Analytics") to proceed to the locations and for the timeframes indicated below. Upon completion of the mission, the employee will return to the point of origin. Travel being performed is necessary and in the public's service. Authorization is granted to use government facilities en route to final destination.</p> <p>Contract Fund Citation: FOR MILAIR ONLY</p> <p>Army AC 720200006658251P1351972343 511173</p> <p>Ticket purchased with an CRA "Central Billing Account."</p> <p>a. Cities/Countries to be Visited: Iraq, Kuwait, Qatar, Afghanistan and Tajikistan</p> <p>b. Name: Mr. _____</p> <p>c. Home Address: _____</p> <p>d. Next of Kin: _____</p> <p>e. Job Title: Intelligence Analyst</p> <p>f. Level of Clearance and Issuing Agency: Top Secret</p> <p>g. Issuing Agency: Central Clearance Facility (CCF)</p> <p>h. Social Security Number: _____</p> <p>i. Date of Birth: _____</p> <p>j. Place of Birth: _____</p> <p>k. Purpose: To serve as a Liaison Officer</p> <p>l. Initial Period: 27 Sep 2006 - 30 Sep 2007</p> <p>m. Passport Number/Expiration Date: _____/24 Jul 2011</p> <p>n. Citizenship: US</p> <p>o. Contracting Privileges: Request that this contractor be granted, subject to availability, access to or the privileges defined below while temporarily deployed with the U.S. Army on Contract Number: W52PJ3-05-F-0001</p> <p>1. Common Access Card (CAC) and ration cards</p> <p>2. Army and Air Force Exchange Service Facilities (NAI Exchange) (includes rationed items)</p> <p>3. Military Clothing Sales for repair and replacement of issued equipment</p> <p>4. Military Housing Facilities and Finance Accounting Office</p> <p>5. Government transportation (i.e., aircraft, auto, bus, train, etc.) for official government business</p> <p>6. Commissary (includes rationed items)</p> <p>7. Morale and Welfare Recreational facilities (i.e., Clubs, Theaters, Gyms, etc.)</p> <p>8. Purchase of petroleum and oil products for Rental and/or Government vehicles</p> <p>9. Bilets</p> <p>10. Messing Facilities</p> <p>11. Customs Exemption</p> <p>12. Medical Services</p> <p>13. Military Postal Service (APO)</p> <p>14. Excess Luggage Authorization: 4 bags not to exceed 200 pounds.</p> <p>15. Dependent accompaniment is not authorized.</p> <p>16. Mortuary Services</p> <p>17. Legal Services not provided</p> <p>2. Emergency medical support will be determined by the appropriate supported commander. Contractor authorization aboard military aircraft will be determined by the supported commander. Necessary identification badges will be determined and provided by the supported command.</p> <p>3. The Contractor is considered as "Key Personnel, Department of the Army Civilian" in connection with "Non-Combatant Evacuation Orders" at the civil service grade indicated above.</p> <p>4. Mr. _____, the bearer of this letter, is an employee of Beta Analytics International which has a contract with this agency under government contract W52PJ3-05-F-0001. During the period of this contract, 27 Sep 2006 - 30 Sep 2007, and only if the vendor permits, the named bearer is eligible and authorized to use available travel discount rates in accordance with Government contracts and/or agreements. Government Contract City Fair fares are not available to Contractors.</p> <p>5. Point of Contact: Linda Lyxick, DSN 793-8591 or Commercial (309) 782-8591; e-mail: lyxick@afac.army.mil.</p> <p>Arthur Pantar Contracting Officer</p>
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Figure 4: Sample contractor LOA [44].

An LOA is to be carried by any contractor supporting the USG who is expressly granted authorizations. Reviewing an LOA is the only manner in which any government official, whether a soldier conducting entry control at a dining facility or a contracting officer, can validate that the individual contractor is authorized what he claims to be authorized. Not all contractors supporting the USG receive LOAs. While not clearly addressed in current DoD or Army policy, it is very common that sub-contractors are not authorized the same privileges and, therefore, do not receive a LOA from the contracting officer for the USG. In many cases, especially in Iraq, the large sub-contractors to a prime contractor like KBR are self contained organizations and within their contract to the prime contractor or KBR they are required to be self sustaining. Therefore, the sub-contractor is to provide most or all of the privileges internally. Other services/privileges that the sub-contractor can not sufficiently provide for its employees may be provided by

the prime contractor or, on a case by case basis, may be authorized by the cognizant government contracting officer. The use of LOAs is a USG-unique system and, therefore, does not apply to contractors or officials of other governments.

The MNF-I Census

On 1 November 2006, MNF-I issued a FRAGO directing all subordinate commands to conduct a quarterly census of contractors operating in support of them, or their subordinate units. Units are to report contractors who are accountable to them and contractors for which the unit is the requiring activity. The first census was to be completed and reported by 5 December 5 2006. For every subsequent census count the data is required to be reported by the fifth day of the month starting the quarter. The first reportable month after December was January 2007 [45]. After January, the report moved to three month incremental reporting periods. The initial census report from December 2006 estimated a count of 100,000 contractors [46]. The census only targets DoD contractor personnel located in Iraq and performing duties “supporting US DoD and Coalition Force operations in Iraq or its reconstruction” [47]. The current census process does not apply to non-governmental organizations (NGOs) or other governmental agencies (OGAs).

The data accumulated via the census is entered into an 18-category spreadsheet that includes categories such as the requiring activity (i.e., to whom the contractor reports); the contract number; the company name; the contracting agency and the contracting officer point of contact; the mission or contract intent; the duration of the contract; and other elements. The data is captured at the company level vice the individual level. Therefore, a central point of contact for a given company consolidates its information on individuals and provides roll up data to the responsible MNF-I or subordinate command official collecting the data. In the end, the census data provides the MNF-I commander and his subordinate commanders a snap shot quarterly reference as to the number of contractors being used in support of DoD and Coalition efforts and the contractors’ locations around the country at that point in time.

The Contractor Coordination Cell

As previously stated, the CCC cell represents an accountability and tracking effort that is contracted for by ASC and is directly targeted at obtaining pertinent contractor and contract information on contractors supporting operational efforts in OEF and OIF. This cell was chartered to fulfill information gathering activities because AMC through its deployable Army Field Support Brigades (AFSBs) “requires administrative support to account for contractor civilians that enter the theater, and accompany the forces in support of on-going US Army operations in the Central Command (CENTCOM) Area of Operations (AO)” [48]. The contractor supporting the CCC is to gather information that will assist with the reception, staging, and onward movement processes; ensure the contractors have the required force protection items; and provide personal information for each individual that is pertinent to the Personnel, Rescue, and Recovery (PRR) process. In addition to gathering this information, the CCC is to obtain and verify copies of each individual contractor’s LOA. The CCC is to collect all information gathered and enter it into a designated database system, and provide routine reports to the commanders of Combined Forces Land Component Command (CFLCC), AMC, and the AFSBs in Kuwait and Iraq [49].

Finally, the CCC established several contractor information collecting points in the CENTCOM area of operations. The hub is located at the Aerial Port of Debarkation (APOD) in Kuwait. Other catch points are located at the Bagram Air Base APOD in Afghanistan, the Baghdad International Airport APOD, and at both the Balad Air Base and Mosul Airport APODs [50]. The information gathered from the distributed catch points can enable the cognizant government official to track the movement of an individual contractor if they are identified at the APOD and input into the accountability system being used. This system, however, does not capture any contractor moving from location to location intra-theater via convoys or those that may enter the respective country via convoys.

Synchronized Predeployment and Operational Tracker (SPOT)

The SPOT system is an automated contractor management tool that was developed by AMC and is about to be used in a DoD test case on contractor accountability. The SPOT system is intended to be a web-based system that will incorporate 152 fields of information [51], required by a variety of government activities, on every individual contractor. Additionally, it will be a proactive accountability system that enables the input of and validation of contractor information prior to the individual contractor ever arriving in theater. This advanced entry and validation capability can allow a commander advance visibility as to who will be arriving in his/her area of operations, allow the commander to plan logistics support (meals, housing, scheduled transportation, etc...) for the deploying contractor, and maintain recurring visibility of the individual contractor as well as visibility of the total contractor support base. The SPOT system is intended to be a technological solution that synchronizes the requirements and practices defined in doctrine and policy; serves as the entry point for contractor information and tracking characteristics; and ultimately serves as the commander's tool for the accountability and management of contractors supporting the force from the time of deployment through time on station in a deployed environment and on to redeployment. The details of the synchronized vision of SPOT are listed in Figure 5.

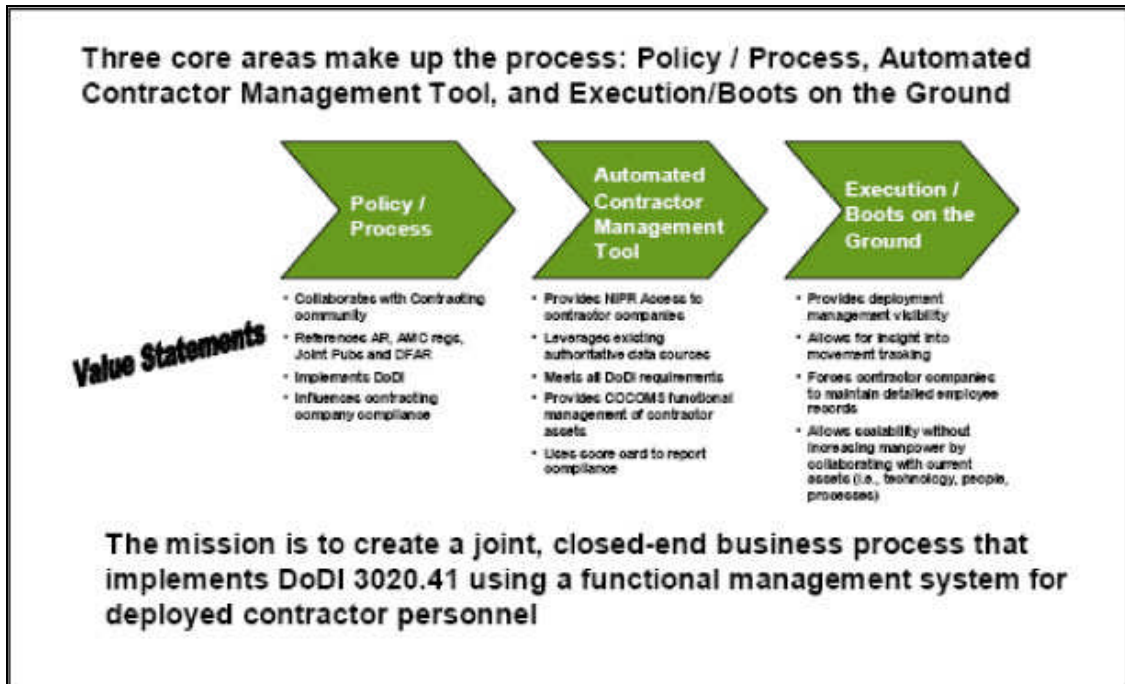


Figure 5: SPOT core areas [52].

The most significant element of the SPOT solution is its ability to be leveraged in advance of actual deployment. If it is mandated for use, no contracting officer will be able to authorize movement of support contractor personnel into theater until the SPOT web based database is completed and DFARS deployment clauses are inserted into the contractor's company's contract (flowed down to sub-contractors as required) and all theater entry requirements are met by both the companies and individual contractors themselves. This advance visibility, at a minimum, will provide the operational commander the ability to have insight into his/her inbound assets and the additional requirements he/she and his/her respective staff must plan for. Given some of the information input into the SPOT data fields, any commander's staff can search for redundant efforts as contractors and their companies begin the pre-deployment process. The SPOT system presents an opportunity to reduce inefficiencies in the contractor accountability and management process, and likely will save the USG and the DoD money.

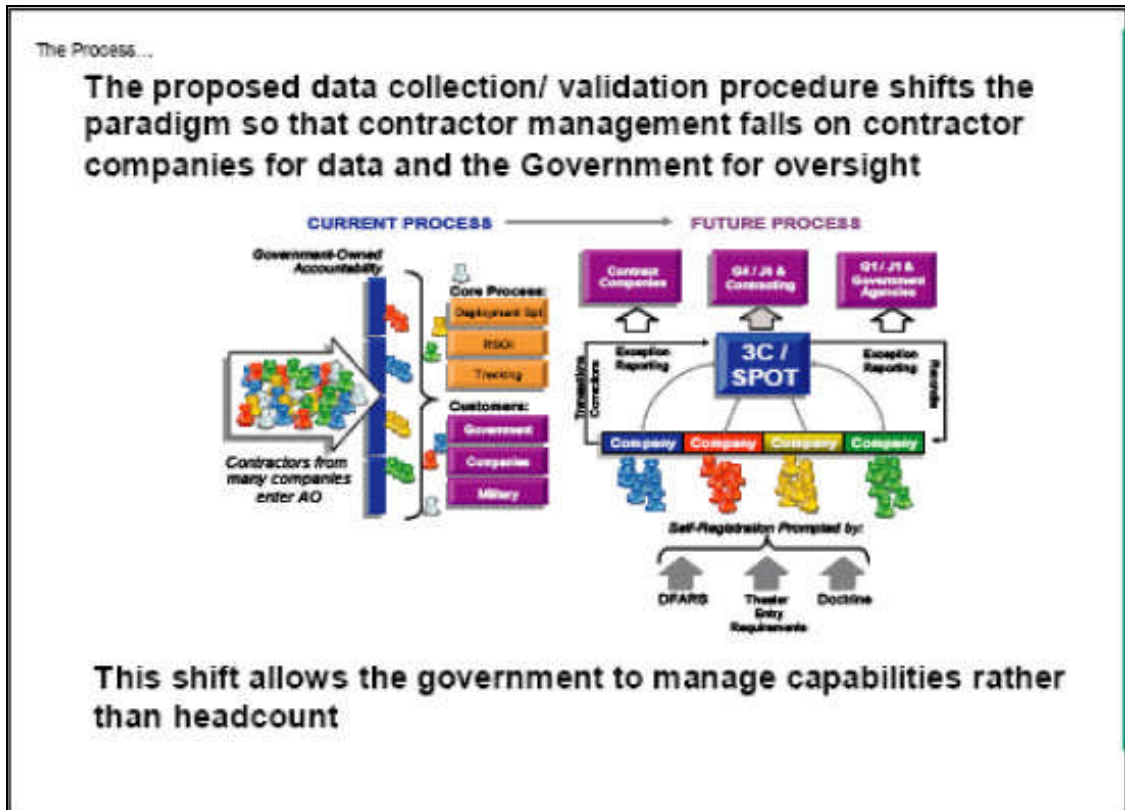


Figure 6: SPOT accountability paradigm shift [53].

The capabilities that SPOT provides can be used at every echelon of command and at every location on a battlefield, down to an entry control point or check point that has either a hand held stock keeping unit (SKU) type of reader or scanner, or a standard identification card reader or scanner, when it is combined with, as it is intended to be, the Federation for Identity and Cross Credentialing Systems (FIXS) [54]. The FIXS system is designed to link the identification provided by the contractor, regardless of its issuing location (government facility or contractor facility), with the databases of the SPOT system. Other databases (security clearance databases for example) could also be accessed, as required, to ensure the contractor is who he says he is; is entitled to be at that location; and is entitled to receive the service provided by the government that they are seeking to access.

While the interfaces and security elements of the cross credentialing system are very complex in its technology, the interface capability it can provide is easily explained

in an Automatic Teller Machine (ATM) analogy [55]. The FIXS technology enables the same cross referencing capability as when an individual places their ATM card into any ATM around the country and world, regardless of which bank owns the ATM. Once the customer inserts their card into the ATM and validates it with their personal identification number, cross referencing of databases and bank accounts happens in seconds. The computers validate the card, validate the pin, check for funds in the customer's account, process a withdrawal, adjust the account balance, potentially issue a fee, and then issue the requested money to the customer. The FIXS system has the capability of meeting the requirements of HSPD-12 [56], previously discussed, by allowing any contractor issued badge to be validated to what ever the defined security standard the requiring activity of the contractor's support has established. Because the contractor badge can be validated, there is no need for the issuance of unique badges by the government in addition to a valid contractor badge.

Given SPOT's capabilities and its readiness to be utilized, the Defense Business Systems Management Committee, on 25 January 2007, designated it as its web-based system to be utilized by all DoD activities to meet the requirements established in DoDI 3020.41 [57]. Coupled with the DoD designation, SPOT was previously designated to be used in a limited scale test designed to validate total system feasibility.

In conclusion, it is clear that active programs and procedures exist and are being utilized to enhance contractor accountability and management. While the current systems do not provide real time data, they certainly provide more information than previously existed and they are attempts to be in compliance with both the law and DOD policy. With SPOT on the horizon, establishing real time and accurate accountability is within the reach of every operational commander who needs contractor data for current and future operational planning.

Analysis and Recommendations

This section will focus on five areas of analysis that highlight the current situation regarding the use of contractors to support the deployed force and other USG activities during contingency operations. Research highlighted the significant progress associated with current efforts to address the challenges of contractor accountability and management; however, there are also some shortcomings. The five topics discussed below will highlight current progress and discuss potential improvements or additional approaches to be considered.

Doctrine, Law, and Policy Guidance

It is clear through the examination of current and emerging doctrine, policies, and laws that efforts to address the issue of contractor accountability and management commands the interest of the individual services, DoD, and Congress. Within the DoD, establishing disciplined processes and procedures that address the deployed contractor work force, their accountability, and control, is a high priority that clearly has senior leader attention. Addressing this issue also represents a cooperative effort and spirit among the individual military services and the DoD. Two examples of this cooperation are the establishment of the Joint Contingency Contracting Working Group, which is comprised of subject matter experts in fields associated with contracting and its support in contingencies; and the Joint Contingency and Contractor Management (JCCM) Community of Practice, which is led by the J-4 and hosted by the Defense Acquisition University. Both activities are broadly contributing to the issues associated with contracting and contractor support during a contingency operation, and they provide forums for the sharing of ideas and progress made among the services and the DoD.

An examination of current policies, directives, guidance, and doctrine indicates that there is a focused and cogent effort towards tiered solutions to dealing with the larger issue of contractors on the battlefield and also on the specific issue of contractor accountability and management. Finally, current doctrine and policies are being revised to capture current practices and lessons learned from today's operational environment.

The active revision process demonstrates a commitment to ensuring a comprehensive solution set that matches policies and procedures with lessons learned, actual execution practices and commanders' requirements.

A particular area that must be addressed regarding contractors and their support of contingency operations is how requirements should be addressed during the procurement process. As with policy and doctrine, the DoD addressed the issue initially with the development of DFARS clause 252.225.7040. While it is not as robust as it could be, it specifically addresses deploying contractor requirements and is required to be inserted into the contracts of prime contractors and their sub-contractors who are or may be supplying contractor employees to a deployed environment. However, this clause does not apply outside of the DoD. A similar clause should be considered for incorporation into the Federal Acquisition Regulation (FAR) to ensure all USG departments and agencies must comply with common contractor deployment standards.

Another shortcoming identified is the narrow and permissive language used in the ALARACT concerning the DFARS clause and the use of the SPOT system. The message is too narrow because it is solely an Army message, therefore, it lacks directive authority to other services, the DoD, or other USG agencies/departments. The message is too permissive because it only recommends that a contracting officer include specific references for mandatory SPOT use in the DFARS clause versus requiring its stated use. Until SPOT is universally required for use in directive language it is unlikely contractors will be registered in the SPOT system and true accountability will be established.

Inter-departmental and Inter-agency Standardization and Cooperation regarding Contractor Accountability

In DoDD 3000.05 it is clearly stated that SSTR is a core mission of the military services and that they need to be prepared to execute all tasks associated with the SSTR mission. Those tasks could include reconstruction, revival or building a private sector, developing governmental institutions, rebuilding indigenous institutions and others [58]. In many cases, these subordinate tasks of SSTR will require the use of contractor support. The DoDD also details the requirement to develop integrated and jointly executed SSTR

plans with other departments and agencies of the USG. This document highlights the vision of a complex and cooperative environment during future contingency and humanitarian operations.

However, this vision and direction appears to only be documented as policy within the DoD and does not serve as policy for other departments and agencies of the USG. Likewise, federal law generated by Congress regarding contractor accountability and management specifically addresses the DoD's responsibility for dealing with the issue, not the responsibilities of other departments and agencies. Granted in today's operating environment the DoD is the dominant source of contractors on the battlefield, however, it is not the only source, and if only the DoD is providing a detailed accountability and use of its contractors, then the entire picture is not being represented. What is needed is an over-arching executive branch policy, much like HSPD-12, that will serve as common direction and policy for all departments and agencies to be able to leverage for use, especially when designated as a lead agency for USG efforts in a contingency environment. This type of document could serve to leverage the development of a common contractor accountability and tracking system (maybe a SPOT solution that applies to all of the USG vice just the DoD), as well as standards and procedures that would ensure the compliance of all in a joint and inter-departmental/agency operating environment.

Contractor Accountability Processes

In an attempt to be in compliance with the law and policy, ad hoc efforts were developed and put in place and simultaneously attempted to address the process of contractor accountability and management. Neither one of the current systems is completely delivering the entire picture of the contractor force supporting the operations, nor are they truly answering what the commander needs to know, as addressed earlier in this paper. These accountability solutions are best effort solutions and are serving to establish a clearer picture of what kind of contractor support, who is responsible for the support requirement, and how many contractors there are currently in support of operations in Iraq. The short comings of these accountability efforts begin with how and

how often the data is collected. In the case of the CCC, the data is collected at the APODs, but does not capture convoy manifesting and movement data of contractors. The system relies on a physical capture process of contractors as they move. Finally, the system is not web based and able to be validated. The CCC process is consolidated into a database that represents point in time data, not real time data. The MNF-I census has similar shortcomings. The census relies on compliance regarding data collection and updating at each distributed location throughout the country of Iraq. Also, the potential exists for double counting contractors because subordinate commands may account for elements of its contracting work force that are distributed to different areas, and the commands in those distributed areas may also count the same contractors. Contractors outside of those supporting the subordinate operational forces of MNF-I are not captured in the census even though they may be supporting the larger USG efforts in Iraq via the State Department or another federal department or agency. Finally, like the CCC data, the census is only point in time data and is collected only every three months.

Given the DoD guidance establishing the use of SPOT as the DoD's common system for accountability and its designation as the central repository for information regarding contractors deployed with the force, there is an opportunity to eliminate the ad hoc accountability efforts once the SPOT system is emplaced and functioning. At the present time there is not a detailed timeline that defines when the system will be fully mission capable and able to fully replace the other efforts. Therefore, best efforts at accountability will remain the standard.

The informational capabilities that SPOT can deliver, regarding the accountability and management of contractors and their efforts, can be used as a tremendous tool for commanders and staffs responsible for executing today's operations, as well as those developing future operational plans. Today's operational commander will have the capability to know real-time how many contractors are in the theater or a particular area of operation with in the theater. The commander will also be able to use present data for future planning decisions, as well as to look for redundancies in contracting efforts, compliance with command procurement priorities, and other capabilities. Figure 7 below

highlights the significant real-time data improvements that can be realized when comparing SPOT to the CCC.

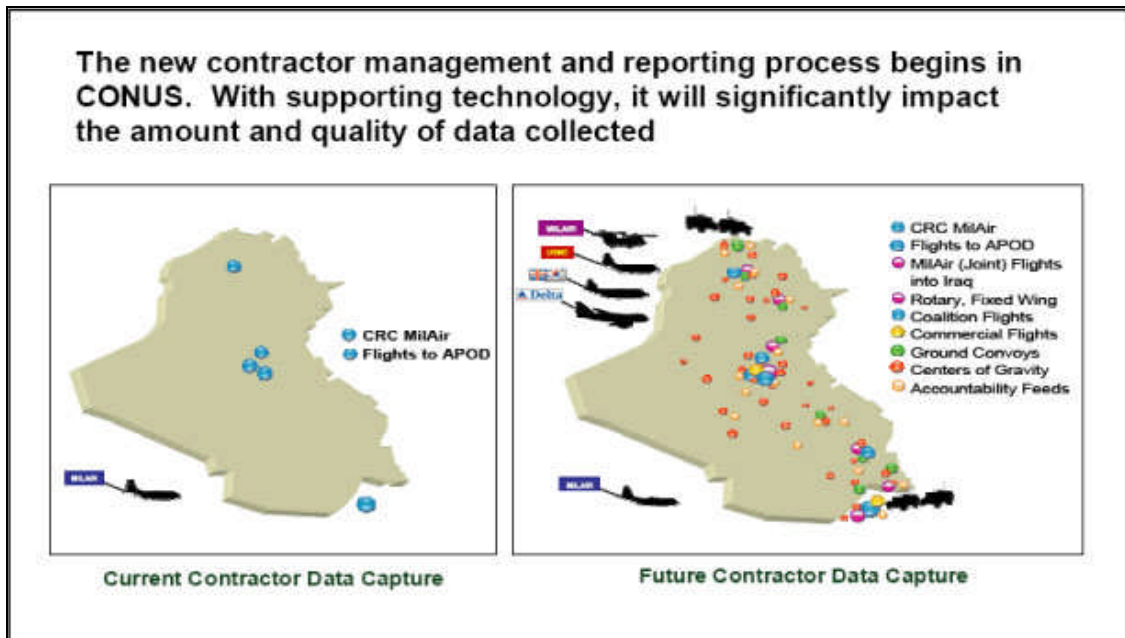


Figure 7: Contractor data collection—current method and future capability [59].

Staffs that are in the process of updating or preparing OPLANs for future contingencies will have the opportunity to analyze data that suggests what missions may require contractor support; helps develop the scope of a contractor support effort; assists in establishing procurement priorities; and defines the time-phased deployment of certain contractors in conjunction with operational forces for a contingency; as well as other aspects [60]. All of these planning factor enhancements are already required to be accomplished by AR and FM today.

Finally, when using SPOT in a particular operational environment, the permissiveness or threat of the environment should dictate the manner in which identifications are used. While SPOT has cross credentialing capabilities, when coupled with FIXS, that enable a contractor to use his organic (employer issued) identification card for identification and validation purposes when scanned by the system, using the organic card may not be a suitable approach for all operating environments. In a permissive environment or in the conduct of contractor support on an installation or in

federal facilities in the US, the use of the contractor identification might be appropriate and certainly both more efficient and cost effective than issuing a complementary form of government identification. However, in an operational environment where there is a credible and active threat, using a contractor's company issued identification might not sufficiently satisfy the commander and his desire for tiers of security. In a threat environment, the ideal solution to satisfy the tiered security approach to identifications might be as follows:

1. Issue government unique identifications that can be loaded with critical elements of the contractor's data that is up loaded in the SPOT database. The government-issued identification provides a first glance recognition for a security checker, soldier or civilian, before they scan the card to validate the individual and their authorizations. This potential solution also enables a common identification to be presented by all contractors rather than just those whose companies have trusted issuing systems that can be cross referenced during an identification process. However, this solution would also require that a single standard is maintained for the badge issuing process so that the security aspect is not diluted or potentially compromised by competing badges.
2. As technology continues to improve and proliferate, a biometric tier of security could be incorporated into the SPOT system and added to the identification card being validated during the scan process. While the biometric validation criteria will only work for those who the data is collected from, it would potentially provide a commander another layer of confidence in a threat environment.
3. Identification card readers and scanners should be promulgated to every possible location where a contractor or soldier (using a common access identification card (CAC)) could be tracked. The readers have the potential to provide real time and traceability information on any person whose card was scanned anywhere in the operational area.

Common and Standardized Definitions

There is no common lexicon or definition set of what a contractor is. This paper identifies several sources of definitions that are not all common and do not sufficiently differentiate all of the distinguishing factors associated with the term contractor. Through the JCCM Community of Practice efforts, the Office of the Secretary of Defense (Acquisition, Technology and Logistics) (OSD (AT&L)), recognized this issue and has agreed to revise DoDI 3020.41 accordingly. This policy revision effort is being closely coordinated with the development of JP 4-10. Once published, JP 4-10 will drive definition changes into JP 1-02 as well as other JPs [61]. The JP flow down process should result in a flow down of definitions to service specific doctrine manuals.

The key to the common definition set is to clarify the principal missions of deployed contractors, the contractor's relationship to the government (prime vs. sub), bundled national origin categories, and the purposes of the contractors. Clarifying definitions, even though the definition set will grow, will serve to more exactly sort what category a contractor falls into and allow the DoD to set a common base-line for rights privileges, and USG furnished support requirements. This will be beneficial for commanders, as it can help them to categorize, and therefore understand, their relationship, work or security, with a given contractor better. Additionally, an increased and common set of definitions will assist in clarifying inter-departmental/agency discussions on topics surrounding contractors.

Finally, a clear definition set will help to distinguish which contractors must be tracked and will serve to provide even further clarity and stratification within the SPOT system as it matures. Definition clarity will be particularly important when the USG and the military respond to a contingency, humanitarian or other, where there is the lack of a threat to the deployed USG elements. In that case, the question—what contractors need to be tracked?—is likely to arise. It is likely that not all contractors will require tracking. Therefore, clarity of understanding and a common language will be paramount to making contractor accountability and management decisions that will affect a wide variety of the USG's departments and agencies.

Training to Deal with Deployed Contractors

Our commanders executing operations in deployed environments and during contingencies rely on contractors for a wide range of support. The roles of contractors cover a full spectrum as they provide supplies unable to be obtained in a timely manner or through the standard supply channels; life support services; routine and specialized maintenance of equipment; construction; and other services. Commanders at all levels of an organizational structure deal with contractors during their day to day execution of operations. However, until just recently the only resources commanders, their subordinate leaders and staffs had to train with, in order to prepare for the contractor rich environment that they may potentially be entering, was limited to a review of their own prior experiences, doctrine, policies, and lessons learned. One current commander commented—our training is woefully inadequate in preparing leadership to deal with all of the nuances of contractors and contractor management [62].

As stated in the section covering Contractors on Today's Battlefield, a commander has many contractor support questions he/she wants to understand in the daily execution of his mission and he/she has planning factors regarding the use of contractors that he and his staff must consider for future operations. These elements identify the need for institutional professional training for leaders in order to prepare them for the missions involving contractors that they will need to plan for and execute. The training, regardless of service, should start at the lowest echelon of professional schooling if only to serve as an overview. The training of future commanders and staff officers should be where contractor training is focused and it should be both robust and standardized. For the Army, classes should begin in the Captain's Career Course, where a solid foundation covering the responsibilities regarding the requisition, use, and required oversight of contractors is instilled. At the next echelon of schooling, Command and General Staff Officers College (CGSC), or the Intermediate Level of Education (ILE) course, officers should be taught to apply the planning considerations associated with the use of contractors to support the force. Finally, training blocks should be inserted into the pre-command courses conducted for operational commanders of the lieutenant colonel and colonel level. These courses should focus on current processes in place to provide

oversight and management of contractors; the planning considerations for the use of contractors that they should expect their staff to apply; and current policy, doctrine and law covering contractors accompanying the force. While each situation a commander enters in a deployed environment will be different, a fundamental background in the general subject area of contractors accompanying the force has the potential for him/her to be more comfortable with the environment he/she is in and provide him/her the ability to make informed, as well as educated decisions regarding contractors.

There is light on the training horizon. The Army's logistics community understands the challenges associated with the issues of contractors on the battlefield. Therefore, the logistics community now has a block of training included in the logistics captains career course and a lecture during the logistics commanders pre-command course that familiarize officers with the contractors on the battlefield issue [63]. Additionally, the senior logistics officers are pushing for mandatory contractors of the battlefield training in the CGSC and ILE courses [64]. In conjunction with these growing institutional training efforts, the Army G-4 commissioned the development of a web based training module to address contractors accompanying the force [65].

All of the mentioned training efforts are a great foundation that needs to be built upon. For example, the block of instruction in the pre-command course needs to be standardized and required in all pre-command courses. Virtually every battalion and brigade commander, regardless of branch, on today's battlefield will deal with contractors supporting him/her. Likewise, the captains' career course program needs to be institutionalized into all basic branch captains' career courses. Finally, including the web based training, the Army should develop a robust pre-deployment training program for all units preparing to deploy. The program could be taught by either local subject matter expert personnel or by a mobile training team. When all of these potential training opportunities are functioning together, all officers, regardless of where they are in their career cycle or deployment cycle, could be familiarized with the latest required knowledge, current practices, and doctrine associated with contractors on the battlefield.

Conclusion

Currently in Iraq there are roughly 100,000 contractors supporting the deployed forces conducting combat and USG sponsored reconstruction operations. The reliance of the DoD and other USG agencies on contractor support to accomplish their respective missions is not going to dissipate in the near future. To the contrary, reliance on contractor support is now the norm and will be on into the future. It is imperative that USG departments and agencies, specifically the DoD, thoroughly assess the implications of the use of contractors and adapt policy, guidance, doctrine and training in order to enable operational force commanders to operate decisively and efficiently in the contingency environment. Finally, operations in support of the GWOT, OIF and OEF demonstrate that inter-agency and inter-departmental cooperation in planning, coordinating and executing is vital. Given this precedence and the anticipated reliance on contractor support to execute any SSSTR mission, common policy and guidance is required for the management of contractors deployed to a contingency environment regardless of which government agency or department is the designated lead.

Suggested Follow-on Areas of Study

1. Given the DoD's inter-agency/departmental approach to conducting SSSTR operations in the future, what is the process for establishing inter-agency/departmental doctrine and policy that will mitigate confusion in work efforts, mitigate duplication of efforts, establish common support objectives, and provide a means of tracking both the efforts to be accomplished and the contractors supporting those efforts?

2. It is apparent that the Department of State will need to rely on contractors for any future efforts involving a large scale military action, a large humanitarian support effort, or any type of reconstruction effort in which US funds remain in control of the US government yet are obligated in support of the situation at hand. Likewise, the Department of Homeland Security or its subordinate agencies will interface significantly with a contractor base of support for disaster relief type of efforts, be they natural or man made disasters.

However, in neither case will the two Departments act nor respond to their challenges in a vacuum. Many other departments and agencies of the government will be involved and likely will have contractors supporting the accomplishment of their respective requirements. While the situations may not be similar to those that are currently being operationally conducted world wide, the question remains, who is responsible for contractors supporting the total effort, how are they coordinated, how is redundancy mitigated and how are government interests protected?

3. The Joint Contracting Command–Iraq/Afghanistan (JCC-I/A) is an ad-hoc organization versus a doctrinal template. Should it be included into doctrine and how will a doctrinal command achieve its responsibilities? What are those responsibilities? How should it be staffed? How does it truly leverage authority in a deployed environment other than through the willingness of other contracting entities (throughout the DoD only) to report their data, given its owning command would not have budget and obligation authority over other services, their major commands, certainly DoD agencies, not to mention non-DoD departments and agencies?

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